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Senator O'NEILL: That's roughly 55 per cent of the population—so you've got incredible insights into all the different sectors. I note you indicated there are crusaders and systemic differences. I would appreciate it, Chair, if we could hear about the Islamic and Jewish schools. I note that the submission from the Australian Catholic Bishops Conference talks about roughly one in 20 Australian children experiencing discrimination based on religion, which is higher than the rates of discrimination based on disability, mental health and sexual identity. There are comments here about anti-Semitic incidents in Australia—188 attacks and 143 threats in a two-year period—and, similarly, data about 72 per cent of victims of anti-Muslim attacks being women, with 349 incidents of discrimination, harassment and violence. My question is: **what is the situation in terms of the IEU's support for the principle of a federal antidiscrimination element to cover off religious discrimination**, given the sorts of workplace tensions you've talked about, and the reality for those particular minority religions—including Sikhs, because they have such a prominent physical manifestation of their faith? Do you have any insight you can provide to us briefly and then more fully on notice?

IEUA Response

We recognise the question is seeking our views on support for the principle of a federal anti-discrimination element to cover off religious discrimination.

As outlined within our submission, the IEU supports legislation adding religion as an attribute to federal anti-discrimination legislation. Such legislation is necessary to prevent discrimination and is consistent with the promotion of individual freedom, equality and fairness. It also assists Australia in meeting its long-held international obligations, including its obligations as a signatory to the International Covenant on Civil and Political Rights (ICCPR), to legislate where necessary to give effect to the rights recognised in the Covenant and to provide an effective legal remedy for any violation of those rights.¹ Relevantly that covenant provides that:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or adopt a religion or belief of his choice.²

¹ ICCPR, Article 2.2,2.3

² ICCPR, Article 18

Human rights belong to all people equally and should not be restricted by denomination or faith. Our submission goes to the need for a comprehensive and consistent approach to anti-discrimination legislation. Federal protection for those who are experiencing discrimination based on religion, as outlined within the question, can and should be achieved by a simple amendment to the existing discrimination act.

We remain of the strong view that this Bill will not assist in providing a comprehensive and consistent approach to anti-discrimination protection. It will create a third layer of legislation to navigate, a third layer of tests to be applied and consequently a third layer of uncertainty.

We urge the Committee to reject the Bill.